

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

KAJEET, INC.,

Plaintiff,

v.

INFOWEISE PTY., LTD.,

Defendant.

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CIVIL ACTION NO. 6:21-cv-704-ADA

JURY TRIAL DEMANDED

**DECLARATION OF CORBY R. VOWELL IN SUPPORT OF
PLAINTIFF'S REQUEST FOR CLERK'S ENTRY OF DEFAULT**

I, Corby R. Vowell, do declare as follows:

1. I am an attorney at Friedman, Suder & Cooke, and counsel to Plaintiff Kajeet, Inc. I am duly licensed to practice law in the State of Texas. I have personal knowledge of the facts stated in this declaration and would testify truthfully to them if called upon to do so.

2. Plaintiff filed a Complaint for patent infringement against Defendant on July 7, 2021 (Dkt. 1).

3. The Summons for Defendant was issued on July 7, 2021 (Dkt. 7).

4. Upon information and belief, Defendant is a corporation organized and existing under the laws of Australia.

5. Defendant engages in business in the State of Texas but, upon information and belief, does not maintain a regular place of business in the State or a designated agent for service of process. Therefore, pursuant to § 17.044 of the Tex. Civ. Prac. & Rem. Code, Defendant has designated the Secretary of State as its agent for service of process and may be served with process through its counsel or by serving the Secretary of State.

6. Defendant was duly served with process via the Texas Secretary of State on July 8, 2021. The return of service is on file with the Court (Dkt. 8).

7. On July 14, 2021, the Texas Secretary of State forwarded the service package to Defendant at its home office address in Australia.

8. An answer or other responsive pleading by Defendant was due on July 29, 2021.

9. To date, no answer or other responsive pleading has been served by Defendant or filed with the Court.

10. Defendant has failed to appear, plead or otherwise defend within the time allowed and is therefore now in default.

11. Plaintiff requests that the Clerk of Court enter default against Defendant.

12. Defendant is a corporation and is not a minor, mentally incompetent or in the military service of the United States. Defendant is engaged in civilian pursuits.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: August 19, 2021.

/s/ Corby R. Vowell